



DOCKET NO.: ISIS-5213

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:**

**Phillip Dan Cook, et al.**

**Application No.: 10/601,242**

**Filing Date: June 20, 2003**

**For: GAPPED 2'-MODIFIED OLIGONUCLEOTIDES**

**Confirmation No.: Not Yet Assigned**

**Group Art Unit: Not Yet Assigned**

**Examiner: Not Yet Assigned**

DATE OF DEPOSIT: *July 24, 2003*

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

*Elizabeth A. McLoud*

TYPED NAME: Elizabeth A. McLoud

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date

of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;

or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith

## EXCEPT THAT:

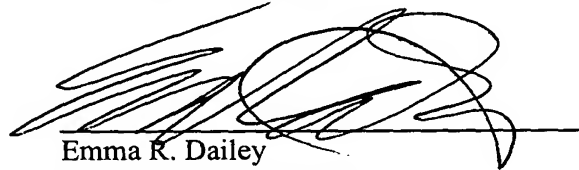
- ☒ In view of the voluminous nature of references 15, 16 and 25, and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☒ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☒ Copies of references 1-81, 118-128 and 140-153 listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **08/244,993**, filed **June 21, 1994** now U.S. Patent No. **5,623,065**; copies of references 82-90 and 129 listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **08/861,306**, filed **April 21, 1997** now U.S. Patent No. **5,856,455**; copies of references 130-135 and 154 listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **09/144,611**, filed **August 31, 1998** now U.S. Patent No.

6,146,829; copies of references 91-101, 136 and 155 listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. 09/453,514, filed **December 1, 1999** now U.S. Patent No. 6,326,199; copies of references 102-117, 137-139 and 156-160 listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. 09/951,052, filed **September 12, 2001**.

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- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☒ There are no listed references which are not in the English language.

Date: July 24, 2003

  
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<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office		Docket No. ISIS-5213	Application No. 10/601,242
		Applicant Phillip Dan Cook, et al.	
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<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
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\*A copy of these references will not be forwarded to the U.S. Patent and Trademark Office since they are believed to be too voluminous and easily obtainable by the Examiner.



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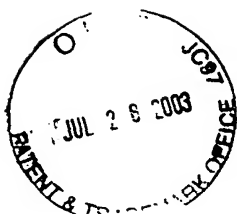
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